

UNITED STATES DISTRICT COURT  
for the  
EASTERN DISTRICT OF NORTH CAROLINA

**U.S.A. vs. Garland Hinton**

**Docket No. 2:01-CR-18-1BO**

**Petition for Action on Supervised Release**

COMES NOW Melissa K. Gonigam, U.S. Probation Officer of the court, presenting a petition for modification of the Judgment and Commitment Order of Garland Hinton, who, upon an earlier plea of guilty to Distribution of Cocaine Base (Crack Cocaine) and Aiding and Abetting, 21 U.S.C. § 841 (a)(1) and 18 U.S.C. § 2, was sentenced by the Honorable Terrence W. Boyle, U.S. District Judge, on March 13, 2002, to the custody of the Bureau of Prisons for a term of 200 months. It was further ordered that upon release from imprisonment the defendant be placed on supervised release for a period of 5 years.

Garland Hinton was released from custody on September 11, 2015, at which time the term of supervised release commenced.

**RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS:**

On June 17, 2016, at approximately 8:31 p.m., the defendant was arrested by Officer Hunter of the Elizabeth City Police Department in Elizabeth City, North Carolina, and charged with Driving While Impaired and Driving While License Revoked Not Impaired Revocation (16CR50819). The charges are pending adjudication in Pasquotank County District Court. The defendant submitted to an Alcosensor test after the alleged incident and his blood alcohol content was documented as .07. Release from state custody was authorized on June 17, 2016, after the defendant posted a \$2,000 secured bond.

The defendant contacted the undersigned officer on June 21, 2016, and advised that he was operating a motor vehicle after consuming alcohol and was involved in a traffic collision as a result. He expressed sincere remorse for his conduct. As a sanction for this conduct, service of 60 days home detention and participation in substance abuse treatment is recommended.

The defendant signed a Waiver of Hearing agreeing to the proposed modification of supervision.

**PRAYING THAT THE COURT WILL ORDER** that supervised release be modified as follows:

1. The defendant shall abide by all conditions and terms of the home detention program for a period not to exceed 60 consecutive days. The defendant shall be restricted to his residence at all times except for pre-approved and scheduled absences for employment, education, religious activities, treatment, attorney visits, court appearances, court obligations or other activities as approved by the probation officer. The defendant shall submit to the following Location Monitoring: Radio Frequency monitoring and abide by all program requirements, instructions, and procedures provided by the supervising officer.

Except as herein modified, the judgment shall remain in full force and effect.

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Reviewed and approved,

I declare under penalty of perjury that the foregoing  
is true and correct.

/s/ Dwayne K. Benfield  
Dwayne K. Benfield  
Supervising U.S. Probation Officer

/s/ Melissa K. Gonigam  
Melissa K. Gonigam  
U.S. Probation Officer  
201 South Evans Street, Rm 214  
Greenville, NC 27858-1137  
Phone: (252) 830-2345  
Executed On: June 30, 2016

**ORDER OF THE COURT**

Considered and ordered this 30 day of June, 2016, and ordered filed and  
made a part of the records in the above case.

Terrence W. Boyle  
Terrence W. Boyle  
U.S. District Judge